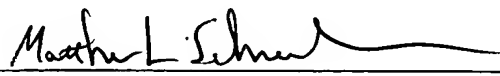


|   |  |   |
|---|--|---|
| Substitute for Form PTO-1390<br>U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE<br><b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>         DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>         CONCERNING A FILING UNDER 35 U.S.C. 371</b>  |  | ATTORNEY'S DOCKET NUMBER<br>011525-408<br>U.S. APPLICATION NO. (If known, see 37 CFR 1.5)<br><b>10/541201</b><br>Assigned |
| INTERNATIONAL APPLICATION NO.<br>PCT/US2004/000024  | INTERNATIONAL FILING DATE<br>02 January 2004 | PRIORITY DATE CLAIMED<br>03 January 2003  |
| TITLE OF INVENTION<br><br>CONDIMENT DISPENSER   |  |   |
| APPLICANT(S) FOR DO/EO/US<br>Michael D. McMAHON and William F. RASILE   |  |   |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:   |  |   |
| 1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission to items concerning a filing under 35 U.S.C. 371.<br>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.<br>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (22) indicated below.<br>4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).<br>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))<br>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).<br>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.<br>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).<br>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))<br>a. <input type="checkbox"/> is attached hereto.<br>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).<br>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))<br>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).<br>b. <input type="checkbox"/> have been communicated by the International Bureau.<br>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.<br>d. <input checked="" type="checkbox"/> have not been made and will not be made.<br>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).<br>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).<br>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). |  |   |
| Items 11 to 21 below concern document(s) or information included:   |  |   |
| 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.<br>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.<br>13. <input type="checkbox"/> A FIRST preliminary amendment.<br>14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.<br>15. <input type="checkbox"/> A substitute specification.<br>16. <input type="checkbox"/> A change of power of attorney and/or address letter.<br>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825.<br>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).<br>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).<br>20. <input checked="" type="checkbox"/> Other items or information: <u>Form PCT/IPEA/416; Form PCT/ISA/220; Form PCT/IPEA/409; Form PCT/ISA/210; Form PCT/ISA/237</u><br>_____<br>_____<br>_____<br>_____  |  |   |

|   |              |   |                             |
|---|--------------|---|-----------------------------|
| U.S. APPLICATION NO. (if known) <b>10/541201</b> <small>see 37 CFR 1.51</small> INTERNATIONAL APPLICATION NO. <b>PCT/US2004/000024</b>  |              | ATTORNEY'S DOCKET NUMBER<br><b>011525-408</b>   |                             |
| 21. <input checked="" type="checkbox"/> Applicant(s) requests that the published application include the following assignment information: <u>H.J. Heinz Corporation</u><br>_____<br>_____<br>_____<br>_____                                    |              | <b>CALCULATIONS PTO USE ONLY</b><br><br><br><br><br>  |                             |
| 22. <input checked="" type="checkbox"/> The following fees are submitted:   |              |   |                             |
| Basic Filing Fee (1631)   |              | \$ 300.00   |                             |
| Surcharge of \$130.00 (1617) for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).  |              |   |                             |
| CLAIMS  | NUMBER FILED | NUMBER EXTRA  | RATE \$                     |
| Total Claims  | 26 - 20 =    | 6   | x \$50.00 (1615) \$ 300.00  |
| Independent Claims  | 2 - 3 =      | 0   | x \$200.00 (1614) \$ 0.00   |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)   |              |   | + \$360.00 (1616)           |
| Examination Fee   |              |   | + \$200.00 (1633) \$ 200.00 |
| Search Fee  |              |   | + \$500.00 (1632) \$ 100.00 |
| App. Size Fee (add \$250.00 for each add'l 50 sheets exceeding 100 sheets)  |              |   |                             |
| TOTAL OF ABOVE CALCULATIONS =   |              |   | \$ 900.00                   |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.  |              |   | + \$ 0.00                   |
| SUBTOTAL =  |              |   | \$ 900.00                   |
| Processing fee of \$130.00 (1618) for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).                                   |              |   | \$ 0.00                     |
| TOTAL NATIONAL FEE =  |              |   | \$ 900.00                   |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 (8021) per property +   |              |   |                             |
| TOTAL FEES ENCLOSED =   |              |   | \$ 900.00                   |
|   |              |   | Amount to be refunded:      |
|   |              |   | charged:                    |
| a. <input type="checkbox"/> A check in the amount of _____ to cover the above fees is enclosed.   |              |   |                             |
| b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>02-4800</u> in the amount of <u>\$ 900.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.   |              |   |                             |
| c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>02-4800</u> . A duplicate copy of this sheet is enclosed. |              |   |                             |
| d. <input type="checkbox"/> Charge _____ to credit card. Form PTO-2038 is attached.   |              |   |                             |
| <b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b>                                |              |   |                             |
| SEND ALL CORRESPONDENCE TO:<br><br>Burns, Doane, Swecker & Mathis, L.L.P.<br>P.O. Box 1404<br>Alexandria, Virginia 22313-1404<br>(703) 836-6620   |              |   |                             |
|   |              | <br>SIGNATURE |                             |
|   |              | Matthew L. Schneider<br>NAME  |                             |
|   |              | 32,814<br>REGISTRATION NO.  | July 5, 2005<br>DATE        |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Mike McMahon et al.

Application No.: US2004/000024

Filing Date: January 2, 2004

Title: CONDIMENT DISPENSER

Group Art Unit: Unassigned

Examiner: Unassigned

Confirmation No.: Unassigned

GENERAL AUTHORIZATION FOR PETITIONS  
FOR EXTENSIONS OF TIME AND PAYMENT OF FEES

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. §1.136(a)(3), the U.S. Patent and Trademark Office is hereby provided with a general authorization to treat any concurrent or future reply requiring a petition for an extension of time for its timely submission as containing a request therefor for the appropriate length of time.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. § 1.17 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

By Matthew L. Schneider  
Matthew L. Schneider  
Registration No. 32,814

Date: July 5, 2005